

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley, (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Stephen A. Cozen, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

October 29, 2020

VIA ECF

The Honorable Sarah Netburn
United States Magistrate Judge
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn,

Plaintiffs move this Court for an order to defer the time for Plaintiffs to file motions or objections addressing the Court's October 21, 2020 Opinion & Order, ECF No. 6510—which denied Plaintiffs' First Motion to Compel, and applied the state secrets privilege and law enforcement privilege to redacted sections of the 2012 Summary Report—until after the Court decides the other outstanding motions involving the Federal Bureau of Investigation: (a) Plaintiffs' January 14, 2020 Second Motion to Compel the FBI and (b) the FBI's April 14, 2020 Motion for a Protective Order, ECF No. 6136.

Plaintiffs believe that it would be more efficient to await the Court's decision on the outstanding motions and proceed with one consolidated filing, if necessary. The outstanding motions involve several of the same legal issues addressed in the October 21 Order, and Plaintiffs believe that aspects of that Order confirm Plaintiffs' entitlement to discovery sought in Plaintiffs' Second Motion to Compel. It is also possible that the Court's decisions on the outstanding motions will obviate the need to file objections to the October 21 Order.

Prior to filing this motion, Plaintiffs contacted AUSA Sarah Normand, Esq., and were advised that the Government consents to Plaintiffs' motion.

October 29, 2020
Page 2

Respectfully submitted,

KREINDLER & KREINDLER

/s/ Steven R. Pounian

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For the MDL 1570 Plaintiffs' Exec.
Committee for Personal Injury and Death
Claims

MOTLEY RICE

/s/ Robert T. Haefele

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For the MDL 1570 Plaintiffs' Exec.
Committee for Personal Injury and Death
Claims

COZEN O'CONNOR

/s/ Sean P. Carter

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Committee for Commercial Claims